

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JOHN J. CUNNINGHAM, DAVID  
CIUFFETELLI, BENJAMIN DIDONATO  
and JOHN RUCKI, JR.,

Plaintiffs,

v.

WAWA, INC., RETIREMENT PLANS  
COMMITTEE OF WAWA, INC., JARED  
G. CULOTTA, MICHAEL J. ECKHARDT,  
JAMES MOREY, CATHERINE PULOS,  
HOWARD B. STOECKEL, DOROTHY  
SWARTZ, RICHARD D. WOOD, JR.,  
KEVIN WIGGINS and CHRISTOPHER D.  
WRIGHT

Defendants,

and

WAWA, INC. EMPLOYEE STOCK  
OWNERSHIP PLAN,

Nominal Defendant.

Civil Action No. 2:18-cv-  
03355-PD

**JOINT STIPULATION AND [PROPOSED] ORDER EXTENDING TIME  
TO RESPOND TO MOTION TO DISMISS**

Pursuant to Federal Rule of Civil Procedure 6(b)(1)(A) and Local Civil Rule 7.4(b), Plaintiffs John J. Cunningham, David Ciuffetelli, Benjamin DiDonato and John Rucki, Jr. (collectively “Plaintiffs”) and Defendants Wawa, Inc., Retirement

Plans Committee of Wawa, Inc., Jared G. Culotta, Michael J. Eckhardt, James Morey, Catherine Pulos, Howard B. Stoeckel, Dorothy Swartz, Richard D. Wood, Jr., Kevin Wiggins and Christopher D. Wright (collectively “Defendants”), by and through their undersigned counsel, hereby stipulate as follows:

1. Defendants shall file their response to the Complaint (Dkt. No. 1) on or before **October 29, 2018**, as required by Federal Rule of Civil Procedure 4(d)(3).
2. If Defendants respond to the Complaint by motion, Plaintiffs shall file their response brief on or before **December 13, 2018**.
3. Defendants shall file their reply brief on or before **January 14, 2018**.
4. Good cause exists for these deadlines, as such will avoid conflicts with upcoming holidays.

Dated: September 25, 2018

/s/ R. Joseph Barton  
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*Attorneys for Plaintiffs*

So ordered this \_\_\_\_ day of September, 2018.

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Honorable Paul S. Diamond